

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
MIDDLE DIVISION**

**GARY STEVEN VASILOFF, )  
Plaintiff, )  
v. ) CIVIL ACTION NO.:  
UNITED STATES OF AMERICA, ) 4: 10-CV-8001-VEH-MHH  
Defendant. ) (4:07-CR-337-VEH-MHH)**

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**O R D E R**

On September 4, 2012, the magistrate judge's report and recommendation was entered and the plaintiff was allowed therein fourteen (14) days in which to file objections to the recommendations made by the magistrate judge. No objections have been filed by the plaintiff.

After careful consideration of the record in this case and the magistrate judge's report and recommendation, the court hereby **ADOPTS** the report of the magistrate judge. The Government's Motion to Dismiss (Doc. 6) is **DENIED** and the Government has twenty-one (21) days in which to file any response addressing Vasiloff's § 2255 claims on the merits.

This matter is **REFERRED** back to the magistrate judge.

**DONE** this the 30th day of October, 2012.



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**VIRGINIA EMERSON HOPKINS**  
United States District Judge